

CHARTER SCHOOL COMMISSION MEETING
APPROVED Meeting Minutes
January 20, 2005
Boise, ID

A regular meeting of the Idaho Charter School Commission was held on January 20, 2005 by teleconference, originating from the Professional-Technical Education Conference Room in the Len B. Jordan Building in Boise, Idaho. Chairman Hammond presided. The following members were present:

Marianne Donnelly
Bill Goesling
Paul Powell

Jim Hammond
Kirk Miller

Ann Souza
Esther Van Wart

The open meeting convened at 8 a.m.

1. COMMISSION WORK

a) Agenda Approval

M/S (Hammond/Van Wart): To approve Agenda as suggested. The motion carried unanimously.

b) Rolling Calendar

M/S (Goesling/Donnelly): To approve the next meeting date as Wednesday, February 2, 2005 at Boise State University. The motion carried unanimously.

Commission members asked if there will be an executive session. Commission staff answered that there is at least one item that needs to be discussed in executive session.

It was suggested that the Commission enter into executive session the evening of the 1st. No objections from Commission.

c) Minutes Approval

M/S (Donnelly/Souza): To approve the Minutes as suggested. The motion carried unanimously.

2. Review of Legislation

As the Commission has begun to work with and approve charters for new schools, it has become apparent that there are some sections of the Charter School Act that need to be amended.

Commission staff took the Commission through the proposed changes.

The Commission held a discussion regarding the time frames within which the authorizing chartering entity had to work once a petition is received. Commission members all agreed that changing the timeframe from 30 to 60 days would better accommodate the work that should be done between petitioners and the authorizing chartering entity.

Commissioner Powell suggested the need to outline the expectation that petitioners would work through drafts with staff before it is submitted to the Commission, and to set an expectation that petitioners will have quite a bit of contact with each other so that when the authorizing chartering entity gets a petition, the petition is fairly clean.

Commissioner Miller asked staff for further clarification on the amendments to the legislation, and if the changes would affect school districts or just the Commission. Commission staff clarified that changes apply to any chartering entity.

Commissioners then discussed the date of December 1st, and how the date was chosen. Commission legal counsel explained that this date was picked after talking to the State Department of Education indicated that they needed to know what schools had been approved by April 1 so they would be eligible for federal funding.

Commissioners noted the desire to see discussion within the legislature that would encourage local school districts to work with petitioners.

Commissioners discussed amendments to the legislation regarding dissolution of the charters, and the liquidation of assets before a declaration of bankruptcy.

M/S (Goesling/Donnelly): Move forward with subsection 8 as written. *Motion passed 4 to 2, with Commissioners Powell and Van Wart voting nay.*

Commissioner Goesling clarified that the motion was to let the legislative process take care of that section.

Commission members then discussed the language in the proposed legislation that would strike the phrase “reasonable opportunity to clear the defect.” Commission members felt this gave petitioners reasonable opportunity to “reply” so that if it was a misunderstanding it can be worked out.

M/S (Powell/Miller): Motion to undo the strike of “reasonable opportunity to clear the defect”. *Motion passed unanimously.*

M/S (Bill/Marianne): To approve the proposed amendments to the Charter School Act with changes and reviews and to direct Commission staff to take the necessary steps to begin the legislative process. *The motion carried 6-0.*

3. Review of Proposed Commission Rules

The Commission has authorized three public charter schools and has begun its work to govern those charters. As such, the Commission has found that clearer information and guidance needs to be included in their rules.

Commission staff took the Commissioners through the proposed rules. One of the first areas to be addressed dealt with the requirement of petitions to be “administratively complete” – meaning all components required are included.

Commission staff also highlighted a proposed rule change to the State Department of Education’s Sufficiency Review. A language change was needed to clarify that petitioners don’t need to fix the deficiencies; they just have to acknowledge the deficiencies, and discuss it with staff before coming before Commission. Petitioners can make revisions based on the Commission staff memo and State Department of Education’s Sufficiency Review as desired.

The final rule change highlighted by Commission staff dealt with petition format. This rule would provide for consistency in submitted petitions.

Chairman Hammond opened the floor for discussion and asked for comments from Commissioners. Commissioner Powell had a question about when the rules would become effective. Commission staff clarified that temporary rules becomes effective as soon as the Commission approves them.

Commissioner Goesling commented on the rule regarding local School District comment (oral or written) regarding petitions before the Commission. Commissioner Goesling suggested the word “require” instead of “encourage”. Commission staff explained that the Commission has no authority to enforce such a requirement.

Commission staff further clarified proposed rules for the Commissioners.

M/S (Goesling/Van Wart): To approve the proposed amendments to the Commission’s rules as submitted and to direct Commission staff to make the amendments and revisions and bring the rules back to the next meeting after February 2nd, 2005 for the Commission’s review. *The motion carried 6-0.*

4. Review of Staff Memo

Commission Legal Counsel explained the background behind the Commission staff memo and what changes have been made.

Commission Legal Counsel explained that Idaho Code Sections 33-5201 and 33-5205 set out the requirements of what needs to be included in a petition that is submitted to the

Commission. The proposed staff memo clearly sets out those requirements and allows Commission staff to determine if the petition is complete when submitted to the Commission.

Commission Legal Counsel further explained that the staff memo would be utilized to determine deficiencies, if any, in a petition. If a petition is deficient, petitioners will be contacted and asked to address the deficiencies. Once staff has determined that the petition is complete, the staff memo is revised to reflect changes that may have been made and will be included in the materials, along with the petition, that are submitted to the Commission for review. The Commissioners can utilize the staff memo to determine if they have questions about the petitions or if they wish to obtain further information from the petitioners. The Commission can also utilize the staff memo in making decisions as to whether or not to approve the petition.

Chairman Hammond opened the floor for discussion.

M/S (Powell/Souza): Adopt staff memo as submitted and direct Commission staff to utilize the memo in petition review. *Motion carried unanimously.*

5. Report on Charter School Conference

Commissioner Van Wart and Commissioner Miller attended a National Association of Charter Schools Conference earlier this year in Philadelphia, Pennsylvania.

Commissioners Van Wart and Miller detailed their overall impressions of the conference, issues regarding the authorizing/assessment process, and resources available.

Commissioner Miller's overall impression is that the Commission is not alone. Commissioner Van Wart explained her impression that the Charter School authorizers should be more of a facilitator and not a regulator and to not micro managing things.

Commissioners Van Wart and Miller advised the Commissioners of the resources available for Charter School authorizers. They also advised the Commission to consider becoming a member of the National Association of Charter School Authorizers, which provides support to authorizing entities.

Commission members directed staff to research the possibility of becoming a member of the National Association of Charter School Authorizers.

6. Report on Charter School Oversight

Commission Goesling reported on the first steps the Oversight Subcommittee would like to see taken with the schools the Commission has already authorized.

Commissioner Goesling noted that one of the first steps to take was to put together a letter

to be sent out to charter schools introducing who the Public Charter School Commission is and what their goals are. Another step is to find out what the Charter Schools are doing for oversight presently. Commissioner Goesling requested a point of contact at each Charter School. Commissioner Goesling's next step was to meet with Commissioners Van Wart and Miller.

7. Discussion on Goals and Objectives for Charter Petitioners

Commissioners discussed the goals and objectives they would like to see charter petitions address. Furthermore, once the petition is approved as a charter, the Commission addressed any additional goals and objectives they would like to see the charters address.

Commissioner Powell stated his concern with petitions that have come before the Commission recently. He suggested that there should be a requirement for every Charter School petition to meet state standards, and would need a statement affirming that.

Commissioners expressed interest in looking at how petitioners describe the academic goals and objectives, noting that most high performing Charter Schools have goals and objectives that are more summary in nature.

Commissioners noted that they would also like to see how the Charter Schools are measuring accomplishments of goals and objectives.

Chairman Hammond suggested that once the schools hire staff, they attach objectives to the goals and that the Commission is interested in seeing measurable objectives.

Commissioners stated that a majority of Charter Schools claim to be making some kind of significant difference. For example, some schools are emphasizing humanities, music, or science. Those schools need to be held accountable in terms of really making an exceptional difference in that area.

Commissioner Souza said that Coeur D'Alene Charter School started with a vision, and had an objective, professional way of dealing with getting petition approved. Commissioner Souza also noted that she would be interested in having a discussion with the principal of the school.

Commissioner Powell suggested that Coeur D'Alene Charter School had a very good petition and you can view it from their website

Chairman Hammond opened the floor for further discussion.

Chairman Hammond adjourned the meeting at 11:15am.